

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 07-03-27**

Date Published: March 22, 2007
For Work Week Commencing: March 26, 2007
Commission Meeting: March 27, 2007, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Live audio feed Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio feed link on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

9:00 a.m. Weekly Scheduling (Commission Conference Room – No Web Audio Feed)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. Qwest Corporation N2007.3.25 (Gary)

On March 9, 2007 Qwest Corporation (Qwest) filed for Commission approval a Multi-State Agreement (MSA) between Qwest and Safeway Inc. (Safeway). Qwest is filing the MSA with the Commission for approval pursuant to Section 2.18 (Large Business Customers With a Multi-State Presence) of its Exchange and Network Service Tariff, and pursuant to the Commission's April 16, 2004 Notice of Commission Action (NCA) in Docket N2003.10.149.

Also pursuant to the NCA, Qwest filed proprietary cost information. The MSA is the result of Qwest's response to an RFP issued by Safeway. The services purchased by Safeway are available from other competitive carriers in addition to Qwest. Probable Motion: Move to approve the Qwest/Safeway MSA in N2007.3.25.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2004.1.6 – Triangle Communications System, Inc (TCS) – Petition to be designated an eligible telecommunications carrier (ETC) – Discuss any and all matters related to the TCS petition to be designated an ETC and get direction on drafting a final order. (3/27/07)
2. D2006.12.191 – Front Range Pipeline – Proposed tariff – Discussion/Final Action. (3/27/07)
3. D2006.6.82 – NorthWestern Corporation and Babcock & Brown Infrastructure –Joint Application for Approval of the Sale and Transfer of NorthWestern Corporation Pursuant to a Merger Agreement – Discuss and act on Montana Consumer Counsel's Motion for Admission of MCC 12 and MCC 13. (3/27/07)
4. N2005.9.139 – MDU – 2005 Electric Integrated Resource Plan (IRP) – Discuss any and all matters necessary to finalize this case including but not limited to the draft of a Commission reply to MDU. (3/27/07)
5. Organization of MISO States Ancillary Service Market Comments to FERC – Discuss and decide whether to support the comments. (3/27/07)
6. Court, DV-03-10080 – Whitehall Wind v. PSC and NWE – Judicial review of PSC order – Discussion, direction, action on compliance with latest court order. (3/27/07)
7. Legislative – Discuss bills relevant to PSC mission, statutory authority, administrative process and general agency concerns; consider staff analysis and recommendations; provide direction on PSC response to bills. (3/27/07)

8. NA (D2005.4.49) – NA (Mountain Water) – Court Order on Judicial Review – Discuss and decide whether to appeal the Order. (3/27/07)
9. Personnel - Moving required staff and discuss moving exempt staff to the broadband pay plan. (3/27/07)
10. **3/29/07, at 8:30 a.m.** – Legislative – Discuss bills relevant to PSC mission, statutory authority, administrative process and general agency concerns; consider staff analysis and recommendations; provide direction on PSC response to bills. (Commission Conference Room – No web audio feed) (3/29/07)

Weekly Scheduling – Will be held at 9:00 a.m. on the day of the Commission Meeting

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. Qwest Corporation N2007.3.27 (Gary)

On March 21, 2007 Qwest Corporation (Qwest) filed for Commission approval Amendment Two to the Multi-State Agreement (MSA) between Qwest and McDonald's Corporation (McDonalds). Qwest is filing the MSA Amendment with the Commission for approval pursuant to Section 2.18 (Large Business Customers With a Multi-State Presence) of its Exchange and Network Service Tariff, and pursuant to the Commission's April 16, 2004 Notice of Commission Action (NCA) in Docket N2003.10.149. Also pursuant to the NCA, Qwest filed proprietary cost information. The MSA is the result of Qwest's negotiations with McDonalds. The services purchased by

McDonalds are available from other competitive carriers in addition to Qwest.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2007.3.26 – Northridge Water Company – Application to Implement Initial Rates and Charges

D2007.3.27 – Qwest Corp. and McDonald's Corp. – Amendment Two to Master Service Agreement